IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE MR. JUSTICE K.C. BHANU

WRIT PETITION No.2572 OF 2006

Date:24.2.2006

BETWEEN:

B. Leelavathi

…. PETITIONER

AND

1. The Station House Officer, Rapthadu Police Station, Rapthadu, Ananthapur District, and another.

….RESPONDENTS

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE MR. JUSTICE K.C. BHANU

WRIT PETITION No.2572 OF 2006

ORAL ORDER: (per TMK,J.)

This writ petition is taken up on the basis of a telegram dated 06.02.2006 sent by the petitioner, for issuance of writ of Habeas Corpus directing the respondents to produce the petitioner's husband, namely, Thirupathaiah and

older sister, namely, Mangamma, before this Court, who were illegally detained by the Sub-Inspector of Police of Rapthadu Police Station, on 29.01.2006.

The first respondent filed counter affidavit denying the allegations stating that the alleged detenus are not required in any case pending with their Police Station. As per the information about the involvement of the accused in the above offences, they caused enquiry about the accused on 29.1.2006 at his native village, Uppanenipally and came to know that he is living with one Mangamma, alleged detenu No.2. Then, they caused enquiry about the alleged detenu No.2 with her relatives. But at the time of enquiry, neither the accused nor the detenu No.2 was present at their place of residence. The accused was arrested on 15.2.2006, and confessed about his intimacy with the detenu No.2 and nothing has been stated against her involvement in the offences. Therefore, there is no occasion for them to apprehend the alleged detenus either on 29.1.2006 or on any other subsequent date. After receipt of notice from the Office of the Advocate General, they again caused enquiry about the alleged detenus and came to know that they are freely moving and attending their day-to-day activities.

In view of the averments made in the counter affidavit, no further orders are necessary in this writ petition. Accordingly, the Writ Petition is closed at the admission stage.

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(T. MEENA KUMARI, J.)

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(K.C. BHANU, J.)

24th February, 2006

Js.